



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE CENTER AND FORT HUACHUCA
FORT HUACHUCA, ARIZONA 85613-6000

ATZS-CG

14 February 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: POLICY 115 -- Reservation of Authority to Order Pretrial Confinement

1. References:

- a. Manual for Courts-Martial (2000 ed.), paragraphs 304 and 305
- b. AR 27-10, Military Justice, Section II

2. I am hereby withholding the power to place a soldier in pretrial confinement to those commanders in the rank of Colonel and above. When a Lieutenant Colonel is acting as commander in place of a Colonel, that officer may execute a pretrial confinement order.

3. If a subordinate commander considers pretrial confinement appropriate, that commander will use command channels to effectuate the confinement.

4. All commanders will, before ordering a soldier into pretrial confinement, coordinate with the Chief, Criminal Law Division, Office of the Staff Judge Advocate. After duty hours, the commander considering pretrial confinement will contact the on-call Judge Advocate for advice. The on-call JAG can be reached through the Military Police desk officer.

5. This memorandum supersedes US Army Intelligence Center and Fort Huachuca memorandum, ATZS-CG, 4 Mar 99, sab.

6. This policy is effective immediately.

///original signed///

JAMES A. MARKS
Brigadier General, USA
Commanding

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